

INITIAL STATEMENT OF REASONS

a) Specific Purpose of the Regulations and Factual Basis for Determination that Regulations Are Necessary

The proposed regulations implement changes consistent with the objectives of Senate Bill (SB) 1104 and reorganize the legal and regulatory requirements under which the program is operated. In many instances, renumbering of sections and amending of cross-references is also necessary.

Section 11-501.3 (Handbook)

Specific Purpose:

This handbook section is being changed to delete a reference to the 18-month time limit and cross-reference to Section 42-710.12. The 18-month time limit was made obsolete, and Section 42-710.12 is being repealed due to the implementation of SB 1104.

Factual Basis:

This change is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-302.114(a)(1)(A)

Specific Purpose/Factual Basis:

This section is amended to correct a cross-reference due to revisions in the regulations, which has no regulatory impact.

Sections 42-302.3 and .31(a)

Specific Purpose:

These sections are being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-701.1 (Handbook)

Specific Purpose:

This section is being changed to remove the reference to Assembly Bill (AB) 1542, the statute which implemented the CalWORKs Program. With the passage of SB 1104, many of the provisions found in AB 1542 are no longer applicable. This section is also being changed to correct the date in which the program began.

Factual Basis:

These changes are necessary to provide readers with updated and accurate CalWORKs Program background information resulting from the passage of SB 1104, Chapter 229, Statutes of 2004.

Section 42-701.1(c) (Handbook)

Specific Purpose:

This section is being changed to remove a reference to the now obsolete requirement that non-exempt individuals must either work or participate in community service after 18 or 24 months on aid. This section is also being changed to specify that unless exempt, adult recipients are required to participate in at least 20 hours per week of core welfare-to-work activities and that the balance of their 32- or 35-hour participation requirement must be assigned in either core or non-core activities, be based upon an assessment, and aid recipients in obtaining employment.

Factual Basis:

These changes provide readers with updated and accurate CalWORKs Program background information. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11322.8, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-701.2(c)(4)

Specific Purpose:

This section is being adopted to provide a definition for “Core Welfare-to-Work Activities” and to specify which activities may be counted towards meeting core hour requirements.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(c), (d), and (e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Sections 42-701.2(c)(5) and (c)(6) (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered from existing Sections 42-701.2(c)(4) and (c)(5) to Sections 42-701.2(c)(5) and (c)(6), respectively, for restructuring purposes and to maintain proper numerical sequencing for clarity, which has no regulatory effect.

Section 42-701.2(n)(1)

Specific Purpose:

This section is being adopted to provide a definition for “Non-core Welfare-to-Work Activities” and to specify which activities may be counted towards meeting non-core hour requirements.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-701.2(u)(1)

Specific Purpose:

This section is being adopted to provide a definition for “Universal Engagement.” Universal Engagement is a term used in federal Temporary Assistance to Needy Families proposed legislation.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11325.21, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-710 (Repealed)

Specific Purpose:

This section is being repealed to remove obsolete program regulations in reference to the 18- or 24-month time limit for individuals in CalWORKs welfare-to-work. Prior to the enactment of SB 1104, individuals in Welfare-to-Work had either 18 or 24 months in which to participate in specified activities, after which they were required to participate in community service.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.112(b)

Specific Purpose:

This section is being adopted to require that at the time an individual applies for aid, he or she is provided with a description of the core and non-core welfare-to-work activities, the core requirement, and the exceptions to the non-core activities.

Factual Basis:

This section is necessary to ensure that the individual is provided with a description of the core and non-core welfare-to-work activities, the core requirement, and the exceptions to the non-core activities. This section is also necessary to comply with Welfare and Institutions Code Section 11320.1(c), and Sections 11322.8(c), (d), and (e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.112(c) [Renumbered from Section 42-711.112(b)]

Specific Purpose/Factual Basis:

This section is being renumbered from existing Section 42-711.112(b) to Section 42-711.112(c) for restructuring purposes and to maintain proper numerical sequencing for clarity, which has no regulatory impact.

Section 42-711.411(a)

Specific Purpose:

This section is being adopted to specify that a minimum average of 20 hours per week of participation must be in one or more core welfare-to-work activities, and to include a cross-reference for clarification purposes.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11320.1(c) and 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.421

Specific Purpose:

This section is being amended to clarify that unless otherwise exempt from participation, an unemployed adult participant in a two-parent assistance unit must, each month, participate for a minimum average of 35 hours per week in welfare-to-work activities. This section is also being amended to remove the reference to federal law.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11322.8(b), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.421(a)

Specific Purpose:

This section is being adopted to specify that unless otherwise exempt from participation, an adult individual in a two-parent assistance unit must participate for a minimum average of 20 hours per week in core welfare-to-work activities, and to include a cross-reference for clarification purposes.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.421(b) [Renumbered from Section 42-711.421(a)]

Specific Purpose:

This section is being amended to clarify that in a two-parent assistance unit where both parents contribute toward the CalWORKs welfare-to-work participation requirement, at least one parent must meet the minimum average of 20 hours per week federal one-parent work requirement. This section is also being renumbered from Section 42-711.421(a) to Section 42-711.421(b) to maintain proper numerical sequencing.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11322.8(b), as amended by SB 1104, Chapter 229, Statutes of 2004. The renumbering is also necessary for restructuring purposes, which has no regulatory impact.

Section 42-711.421(b)(1)

Specific Purpose:

This section is being adopted to clarify that if both parents contribute toward the 35-hour participation requirement, they may split the 20-hour per week core participation requirement for welfare-to-work activities.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(b) and (c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.522(a)

Specific Purpose:

This section is being amended to repeal the requirement that prior to or during appraisal, the county must provide individuals a written description of the 18- or 24-month CalWORKs welfare-to-work time limit. This section is also being amended to add cross-references to Sections 42-716.11, .2, .21, and .22.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Sections 11454, as amended by SB 1104, Chapter 229, Statutes of 2004, and for clarification purposes.

Sections 42-711.522(d)(1) and (d)(2)

Specific Purpose/Factual Basis:

These sections are being amended to correct cross-references due to revisions to the regulations cited in this package, which have no regulatory impact.

Section 42-711.541

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit. This section is also being amended to adopt a cross-reference for clarification purposes.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004, and for clarification purposes.

Section 42-711.543(b)(1)

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit. This section is also being amended to adopt a cross-reference for clarification purposes.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Sections 11325.23(a)(1), Section 11325.23(a)(3)(B), and 11454, as amended by SB 1104, Chapter 229, Statutes of 2004, and for clarification purposes.

Section 42-711.544

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 42-711.546(a) (Repealed)

Specific Purpose:

This section is being repealed to remove an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit and the requirement to adjust the 18- or 24-month time clock for individuals in self-initiated programs.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Sections 11325.23(c) and 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.547

Specific Purpose/Factual Basis:

This section is being amended to add the word “in” to clarify the sentence but has no regulatory impact.

Section 42-711.548(a) (Repealed)

Specific Purpose:

This section is being repealed to remove language that required time spent in an educational program to count toward the now obsolete 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11325.23(e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.548(a) [Renumbered from Section 42-711.548(b)]

Specific Purpose:

This section is being amended to repeal an obsolete cross-reference to the 18- or 24-month time limit. This section is also being renumbered from Section 42-711.548(b) to Section 42-711.548(a) to maintain numerical sequencing for clarity.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004. Renumbering is also necessary for restructuring purposes, which has no regulatory impact.

Section 42-711.551(a)

Specific Purpose:

This section is being amended to adopt more specific cross-references regarding hours of participation for one- and two-parent CalWORKs families.

Factual Basis:

This amendment is necessary for clarity, which has no regulatory impact.

Section 42-711.552

Specific Purpose:

This section is being amended to adopt more specific cross-references regarding hours of participation for one- and two-parent CalWORKs families, and welfare-to-work activities.

Factual Basis:

This amendment is necessary for clarity, which has no regulatory impact.

Section 42-711.552(a)

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.581(a)

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 42-711.6

Specific Purpose/Factual Basis:

This section is being amended to add “Universal Engagement” to the title of the section. This amendment is necessary for clarity and to implement Welfare and Institutions Code Section 11325.21, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.61

Specific Purpose:

This section is being amended to add a cross-reference specifying the time frames in which a non-exempt individual must enter into his or her initial welfare-to-work plan, and to spell out an acronym that was previously used.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11325.21(a), and for consistency and clarity.

Section 42-711.611

Specific Purpose:

This section is being amended to add a cross-reference specifying the core and non-core activity requirements, and the allowable welfare-to-work activities.

Factual Basis:

This amendment is necessary for clarity, which has no regulatory impact.

Section 42-711.62

Specific Purpose:

This section is being adopted to add a time frame within which an individual must enter into a welfare-to-work plan after assessment. With certain exceptions pursuant to Sections 42-711.621 and .622, the welfare-to-work plan must be developed within at least 90 days after either the date eligibility for aid is determined or the date the individual is required to participate in welfare-to-work activities, unless the individual meets the exemption criteria pursuant to Section 42-712.4 or is otherwise not required to sign a plan.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.621

Specific Purpose:

This section is being adopted to clarify that an individual's initial welfare-to-work plan may be entered into as late as 90 days after the completion of job search, if job search, pursuant to Sections 42-701.2(j)(2) and 42-711.53, is initiated within 30 days after an individual's eligibility for aid is determined, or the date that the individual is required to participate.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.621(a)

Specific Purpose:

This section is being adopted to define when job search is "initiated."

Factual Basis:

This section is necessary to define when job search is initiated to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11325.21(a). This section is also necessary to ensure that counties meet the intent of SB 1104, Chapter 229, Statutes of 2004, which is to engage individuals in the welfare-to-work program as quickly as possible. This section is also adopted under the provisions of Welfare and Institutions Code Section 10553, which provides the Director of the California Department of Social Services (CDSS) with the authority to adopt regulations to ensure consistency in the administration of the CalWORKs Program.

Sections 42-711.622 through .662(b)

Specific Purpose:

These sections are being adopted to specify exceptions to the 90- and 30-day periods found in Sections 42-711.62 and .621.

Factual Basis:

These sections are necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11325.21, and to recognize that there are situations under which the county, and/or the recipient, cannot be actively engaged in developing a welfare-to-work plan. These sections are developed under the provisions of Welfare and Institutions Code Section 10553, which provides the Director of CDSS with the authority to adopt regulations to ensure consistency in the administration of the CalWORKs program.

Section 42-711.623

Specific Purpose:

This section is being adopted to specify when the 90- and 30-day time frames in Sections 42-711.62 and .621 begin.

Factual Basis:

This amendment is necessary to provide statewide consistency and to comply with Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.623(a)

Specific Purpose:

This section is being adopted to specify that the 90- and 30-day time frames begin on the date of the notice of action that informs the individual of his or her initial eligibility for aid, when the individual is eligible for aid on the date of application.

Factual Basis:

This section is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.623(b)

Specific Purpose:

This section is being adopted to specify that the 90- and 30-day time frames begin on the date a nonexempt individual begins receiving aid, when the individual is initially ineligible for aid on the date of application but the county has determined that he or she will be eligible for aid within 60 days. This section is also being amended to specify that the date the individual begins receiving aid is also the date he or she can be required to participate.

Factual Basis:

This section is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.623(c)

Specific Purpose:

This section is being adopted to specify that the 90- and 30-day time frames begin on the date an individual is required to participate in welfare-to-work activities, when the individual has been receiving aid but was not subject to participation requirements, and the county knows this date in advance.

Factual Basis:

This section is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.623(d)

Specific Purpose:

This section is being adopted to clarify that the 90- and 30-day time frames begin on the date the county first learns that an individual is required to participate in welfare-to-work activities, but no longer than 30 days from the date the individual was required to participate, when he or she has been receiving aid but was not subject to participation requirements and the county does not know the date the individual will be required to participate in advance.

Factual Basis:

This section is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.624 (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being added to provide counties an example in the application of Section 42-711.623(c), when the county knows the date an individual is required to participate in advance. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Sections 42-711.625 and .626 (Handbook)

Specific Purpose/Factual Basis:

These handbook sections are being added to provide counties an example in the application of Section 42-711.623(d), when the county does not know the date an individual is required to participate in advance but learns of an individual's job loss within 30 days of its occurrence. These sections are to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11325.21(a), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.63 (Renumbered from Section 42-711.62)

Specific Purpose:

This section is being amended to repeal a cross-reference to Section 42-716, and adopt a cross-reference to Section 42-716.2. This section is also being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit. This section is also being renumbered from Section 42-711.62 to Section 42-711.63 to maintain numerical sequencing.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004, and for restructuring purposes, which have no regulatory impact.

Sections 42-711.64 through .642 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered from Sections 42-711.63 to Section 42-711.641 to Sections 42-711.64 through .642, respectively, for restructuring purposes and to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-711.642(a) [Renumbered from Section 42-711.632(a)]

Specific Purpose:

This section is being amended to clarify that any required participation of the parent by the school to ensure a child's attendance will be treated as non-core hours and shall count towards the required hours of participation in welfare-to-work activities. This section is also being amended to add the word "participation" and to replace "as defined" with "specified" to make the section clearer. In addition, this section is being amended to correct and add cross-references. This section is also being renumbered from Section 42-711.632(a) to Section 42-711.642(a) to maintain proper numerical sequencing.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004, and for clarification purposes. The renumbering is for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-711.642(b)

Specific Purpose:

This section is being adopted to clarify that the welfare-to-work plan between the county welfare department and the individual shall specify how hours of participation in core and/or non-core welfare-to-work activities satisfy the participation requirement.

Factual Basis:

This section is necessary to ensure that the welfare-to-work plan explains how the activities to which the individual is assigned satisfy the individual's participation requirements, specified in Welfare and Institutions Code Sections 11322.8(c), (d), and (e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.643 (Renumbered from Section 42-711.633)

Specific Purpose/Factual Basis:

This section is being renumbered from existing Section 42-711.633 to Section 42-711.643 for restructuring purposes and to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-711.644 (Renumbered from Section 42-711.634)

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package and to make an editorial change, but has no regulatory impact. This section is also being renumbered from Section 42-711.634 to Section 42-711.644 to maintain proper numerical sequencing and has no regulatory impact.

Sections 42-711.645 through 42-711.65 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered as follows: Section 42-711.635 to Section 42-711.645; Section 42-711.636 to Section 42-711.646; Section 42-711.637 to Section 42-711.647; Section 42-711.638 to Section 42-711.648; and Section 42-711.64 to Section 42-711.65. This renumbering is for restructuring purposes to maintain proper numerical sequencing, but has no regulatory impact.

Section 42-711.71

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11325.22(d), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-711.712

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit, to include a cross-reference to Section 42-716.2, and to make an editorial change.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Sections 11454, as amended by SB 1104, Chapter 229, Statutes of 2004. This amendment is also necessary for clarity.

Sections 42-711.712(b) and (e)

Specific Purpose/Factual Basis:

These sections are being amended to correct cross-references due to revisions to the regulations cited in this package, which has no regulatory impact.

Sections 42-711.9 et seq. (Repealed)

Specific Purpose:

These sections are being repealed due to obsolete language referencing the 18- or 24-month time limit and referral to community service after completion of the CalWORKs welfare-to-work time limit.

Factual Basis:

The repeal of these sections is necessary to comply with Welfare and Institutions Code Sections 11322.9 and 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-712.51

Specific Purpose:

This section is being amended to repeal a reference to the 18- or 24-month CalWORKs welfare-to-work time limit, which was made obsolete as a result of SB 1104. This section is also being amended to provide an introduction to the sections that follow, which describe the types of individuals who may volunteer to participate in the welfare-to-work program.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-712.511

Specific Purpose:

This section is being adopted to specify that a volunteer can be a participant who meets the exemption criteria found in Sections 42-712.41 through .49.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11320.3(c).

Section 42-712.512 (Renumbered from Section 42-712.52)

Specific Purpose:

This section is being amended to repeal a reference to the 18- or 24-month CalWORKs welfare-to-work time limit, which was made obsolete as a result of SB 1104. This section is also being amended to correct a cross-reference due to revisions to the regulations cited in this package and is being renumbered from Section 42-712.52 to Section 42-712.512 for restructuring purposes to maintain proper numerical sequencing.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-712.512(a) (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being changed to clarify the example of a volunteer in a two-parent assistance unit, when one parent is already meeting the 35-hour participation requirement. This section is also being changed to remove a reference to the 18- or 24-month CalWORKs welfare-to-work time limit, which was made obsolete as a result of the amendment to Welfare and Institutions Code Section 11454 by SB 1104, Chapter 229, Statutes of 2004. This section is also being renumbered for restructuring purposes, which has no regulatory impact.

Section 42-712.6 (Repealed)

Specific Purpose:

This section is being repealed to remove an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-712.6 et seq. (Renumbered from Section 42-712.7 et seq.)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-712.7 et seq. to Section 42-712.6 et seq. for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-713.221

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit. This section is also being amended to correct two cross-references due to the revisions to the regulations in this package and has no regulatory impact.

Factual Basis:

These amendments are necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004, and to direct the reader to the proper cross-references.

Section 42-713.4

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Sections 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-713.41

Specific Purpose:

This section is being amended to repeal an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Sections 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-713.42 (Repealed)

Specific Purpose:

This section is being repealed to remove an obsolete requirement that individuals who have good cause for an interruption in participation in a self-initiated program may have their 18- or 24-month CalWORKs welfare-to-work time limits adjusted. This requirement is obsolete due to the elimination of the 18- or 24-month time limit.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Sections 11325.23(c) and 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-715.512(a)

Specific Purpose:

This section is being amended to repeal the “s” on “time limits” to make the sentence accurate. With the repeal of the 18- or 24-month time clock, there is only one applicable time limit.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.1

Specific Purpose:

This section is being amended to clarify that the welfare-to-work activities to which an individual is assigned must be among those listed in Section 42-716.31, which includes other activities the county deems necessary for the individual to obtain employment.

Factual Basis:

This section is necessary to be consistent with Section 42-716.31.

Section 42-716.11

Specific Purpose:

This section is being adopted to specify that all CalWORKS welfare-to-work participants may participate in activities for up to the 60-month time limit, as long as participation is consistent with their assessments, and/or in accordance with their welfare-to-work plan, or reappraisal.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11325.21(a), 11326, and 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.2

Specific Purpose:

This section is being adopted to introduce the following sections that explain the manner in which the 32- or 35-hour per week participation requirement in welfare-to-work activities must be fulfilled, except by those individuals participating in a self-initiated program, receiving family reunification services, or who are exempt from participation.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11322.8, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.21

Specific Purpose:

This section is being adopted to specify that all CalWORKs welfare-to-work participants, with the exception of those individuals otherwise exempt from participation, must participate in one or more core activities for a minimum average of 20 hours per week.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Section 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.211

Specific Purpose:

This section is being adopted to specify that vocational education and training programs may only count as a core activity for a cumulative total of 12 months during an individual's 60-month time limit on aid.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.211(a)

Specific Purpose:

This section is being adopted to specify that the 12-month time limit for vocational education and training to count as a core welfare-to-work activity begins as of the month in which the individual begins participating in this activity as part of a welfare-to-work plan that was signed on or after December 1, 2004.

Factual Basis:

This section is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Section 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004. This section is also developed under the provisions of Welfare and Institutions Code Section 11053, which provides the Director of CDSS with the authority to adopt regulations to ensure consistency in the administration of the CalWORKs program. The 12-month limit starts in the month in which an individual begins vocational education and training because that is the manner in which vocational and educational training is tracked under TANF for federal work participation requirements.

Section 42-716.22

Specific Purpose:

This section is being adopted to specify that if the core activity requirement is met, an adult recipient may satisfy the balance of the required hours of participation with any of the welfare-to-work activities as listed in Section 42-716.31.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(c), (d), and (e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.23

Specific Purpose:

This section is being adopted to specify which non-core activities may be counted toward the core hour requirement under certain circumstances.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(c), (d), and (e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.231

Specific Purpose:

This section is being adopted to specify when hours of participation in mental health substance abuse and domestic abuse services may be counted toward the core hours requirement.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(c) and (d), as amended by SB 1104, Chapter 229, Statutes of 2004.

Sections 42-716.232 through 42-716.232(d)(1)

Specific Purpose:

These sections are being adopted to specify when hours of participation in classroom, laboratory, and internship activities in adult basic education, job skills training directly related to employment, and education directly related to employment programs, after meeting certain criteria can be counted toward the core hour's requirement.

Factual Basis:

These sections are necessary to comply with Welfare and Institutions Code Section 11322.8(e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.233

Specific Purpose:

This section is being adopted to specify the composition of non-core participation hours when the activities specified in Section 42-716.231 and/or .232 cannot be accomplished within the non-core hours of participation and are counted towards the core activity requirement.

Factual Basis:

This section is necessary to comply with Welfare and Institutions Code Sections 11322.8(d) and (e), as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.24 (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being added to provide counties an example in the application of Sections 42-716.23, .231, and .233 when the county has determined that the number of hours of participation by the individual in treatment for substance abuse and domestic abuse cannot be fully accomplished within the non-core hours. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11322.8, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.25 (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being added to provide counties an example in the application of Sections 42-716.23, .232, and .233 when the county has determined that the number of hours of participation by the individual in classroom, laboratory, or internship activities in a job skills training program that are necessary to assist the individual to obtain a self-supporting job cannot be fully accomplished within the non-core hours. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11322.8, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.26 (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being added to provide counties an example in the application of Sections 42-716.23, .231, .232, and .233 when the county has determined that the number of hours of participation by the individual in classroom, laboratory, or internship activities in a job skills training program that are necessary to assist the individual to obtain a self-supporting job as well as the need for substance abuse treatment all of which cannot be fully accomplished within the non-core hours. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11322.8, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.27 (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being added to provide counties an example in the application of Sections 42-716.23, .231, and .233 when the county has determined that the number of hours of participation by the individual in treatment for substance abuse cannot be fully accomplished within the non-core hours. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11322.8, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.28 (Handbook)

Specific Purpose/Factual Basis:

This handbook section is being added to provide counties an example in the application of Sections 42-716.211 and .211(a), when a non-exempt individual participates in a vocational education program beyond 12 months. This section is to provide guidance to counties in the implementation of Welfare and Institutions Code Section 11322.8(c), as amended by SB 1104, Chapter 229, Statutes of 2004.

Sections 42-716.29 through 42-716.292(a)

Specific Purpose:

Section 42-716.29 is being adopted to specify how study time hours shall be treated. Section 42-716.291 specifies that study time hours shall count as a core welfare-to-work activity if the individual receives educational credits or units for those hours, credits and/or units count toward the completion of an individual's degree or certificate program, and the program for which study time is credited also meets the other criteria that allow participation in non-core activities to count as core hours. Section 42-716.292 specifies that, at the county's option, and when specified in the county's CalWORKs plan, non-credit study time hours, whether supervised or unsupervised, can be counted as hours of participation, but only as non-core welfare-to-work activities. Section 42-716.292(a)

specifies that, when any non-credit study time is counted, no hours of participation in mental health, substance abuse, domestic violence, and/or specified educational activities can be counted toward meeting the core welfare-to-work activity requirement.

Factual Basis:

This section is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Sections 11322.6, and 11322.8(c), (d), and (e), as amended by SB 1104, Chapter 229, Statutes of 2004. This section is also developed under the provisions of Welfare and Institutions Code Section 10553, which provides the Director of CDSS with the authority to adopt regulations to ensure consistency in the administration of the CalWORKs Program.

Section 42-716.3 (Renumbered from Section 42-716.11)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.11 to Section 42-716.3 for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.31 (Renumbered from Section 42-716.111)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.111 to Section 42-716.31. This renumbering is necessary for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.31(d)(2)

Specific Purpose:

This section is being amended to specify that the maximum number of hours an individual may participate in unpaid work experience is limited to the calculations described in Sections 42-716.31(d)(2)(A) and (B).

Factual Basis:

This amendment is necessary to provide guidance to counties to ensure statewide consistency in the implementation of Welfare and Institutions Code Sections 11322.6. This section clarifies that while counties are still limited by the Simplified Food Stamps Program calculation in determining the maximum number of hours unpaid work experience may be assigned as a welfare-to-work activity, counties may also assign fewer hours in unpaid work experience than what the calculation determines, based on the individual's assessment. This amendment is also necessary to distinguish unpaid work experience from paid work experience, which is not subject to the calculation described in Sections 42-716.31(d)(2)(A)

and (B). This section is developed under the provisions of Welfare and Institutions Code Section 10553, which provides the Director of CDSS with the authority to adopt regulations to ensure consistency in the administration of the CalWORKs program.

Section 42-716.31(d)(3) [Renumbered from Section 42-716.111(d)(3)]

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.111(d)(3) to Section 42-716.31(d)(3) for restructuring purposes to maintain proper numerical sequencing. This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.31(f) [Renumbered from Section 42-716.111(f)]

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.111(f) to Section 42-716.31(f) for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross-reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.31(g) [Renumbered from Section 42-716.111(g)]

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.111(g) to 42-716.31(g) for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.31(j)(1) (Renumbered from Section 42-716.42)

Specific Purpose/Factual Basis:

This section is being moved from existing Section 42-716.42 because the remainder of the section is being repealed. This section is also being renumbered for restructuring purposes due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 42-716.31(j)(2) [Renumbered from Section 42-716.111(j)(1)]

Specific Purpose:

This section is being renumbered from Section 42-716.111(j)(1) to Section 42-716.31(j)(2) to maintain proper numerical sequence, which has no regulatory impact. This section is also being amended to repeal a reference to the 18- or 24-month CalWORKs welfare-to-work time limit. The 18- or 24-month time limit was made obsolete as a result of the passage of SB 1104.

Factual Basis:

This change is necessary to comply with Welfare and Institutions Code Sections 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.31(j)(2)(A) [Renumbered from Section 42-716.111(j)(1)(A)]

Specific Purpose:

This section is being renumbered from Section 42-716.111(j)(1)(A) to Section 42-716.31(j)(2)(A) to maintain proper numerical sequence, which has no regulatory impact. This section is also being amended for grammatical purposes and to add language that was previously found in Section 42-711.932.

Factual Basis:

These changes are necessary to comply with Welfare and Institutions Code Section 11322.9, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.31(j)(2)(B) [Renumbered from Section 42-716.111(j)(1)(B)]

Specific Purpose:

This section is being renumbered from Section 42-716.111(j)(1)(B) to Section 42-716.31(j)(2)(B) to maintain proper numerical sequence, which has no regulatory impact. The section is also being amended for grammatical purposes, and to add language previously found in Section 42-711.942.

Factual Basis:

These changes are necessary to comply with Welfare and Institutions Code Sections 11322.9, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.31(j)(3) (Repealed)

Specific Purpose:

This section is being repealed to remove an obsolete reference to the 18- or 24-month time limit as it relates to hours of participation in unpaid community service.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.31(j)(3) [Renumbered from Section 42-716.111(j)(2)]

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.111(j)(2) to Section 42-716.31(j)(3) for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross-reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.31(j)(4) (Renumbered from Section 42-716.43)

Specific Purpose/Factual Basis:

This section is being renumbered for restructuring purposes due to revisions to the regulations cited in this package, which has no regulatory impact.

Sections 42-716.31(q) and .31(s)

Specific Purpose/Factual Basis:

This section is being amended to correct cross-references due to revisions to the regulations cited in this package, which has no regulatory impact.

Sections 42-716.32 and .33 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered from Sections 42-716.2 and .3 to Sections 42-716.32 and .33, respectively, for restructuring purposes to maintain proper numerical sequence. This section is also being amended to correct a cross reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.4 et seq. (Repealed)

Specific Purpose:

This section is being repealed due to the passage of SB 1104, which made the post 18- or 24-month CalWORKs welfare-to-work time limit community service requirement for individuals obsolete. There are two subsections within Section 42-716.4 which do not pertain to the 18- or 24-month time limit that still have relevance to community service as a welfare-to-work activity. These subsections have been moved to other areas in the regulations: Section 42-716.42 has been moved to Section 42-716.31(j)(1) and Section 42-716.43 has been moved to Section 42-716.31(j)(4).

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004. This section has some subsections that have been moved to other areas in the regulations as indicated in order to comply with Section 11322.9, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.4 et seq. (Renumbered from Section 42-716.5 et seq.)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.5 et seq. to Section 42-716.4 et seq. for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.5 et seq. (Renumbered from Section 42-716.6 et seq.)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.6 et seq. to Section 42-716.5 et seq. for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.6 et seq. (Renumbered from Section 42-716.7 et seq.)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.7 et seq. to Section 42-716.6 et seq. for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Sections 42-716.7 through .715 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered as follows: Section 42-716.8 to Section 42-716.7; Section 42-716.81 to Section 42-716.71; Section 42-716.811 to Section 42-716.711; Section 42-716.812 to Section 42-716.712; Section 42-716.813 to Section 42-716.713; Section 42-716.814 to Section 42-716.714; and Section 42-716.815 to Section 42-716.715. This renumbering is necessary for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.716 (Renumbered from Section 42-716.816)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.816 to Section 42-716.716 for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross-reference due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Section 42-716.72 (Renumbered from Section 42-716.82)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.82 to Section 42-716.72 for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to repeal obsolete cross-references due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Sections 42-716 through .732 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered as follows: Section 42-716.83 to Section 42-716.73; Section 42-716.831 to Section 42-716.731; and Section 42-716.832 to Section 42-716.732. This renumbering is necessary for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.84 (Repealed)

Specific Purpose:

This section is being repealed to remove the now obsolete requirement that once a participant has reached their 18- or 24-month limit, the subsidy provided to the employer is limited to the amount of the participant's diverted grant and/or grant savings. The 18- or 24-month time limit was made obsolete as a result of the passage of SB 1104.

Factual Basis:

This is necessary to comply with Welfare and Institutions Code Sections 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-716.733 (Renumbered from Section 42-716.841)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.841 to Section 42-716.733 for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Sections 42-716.74 through .742(b) (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered as follows: Section 42-716.85 to Section 42-716.74; Section 42-716.851 to Section 42-716.741; and Section 42-716.852 to Section 42-716.742. This renumbering is necessary for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.75 (Renumbered from Section 42-716.86)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.86 to Section 42-716.75 for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Sections 42-716.76 through .765 (Renumbered)

Specific Purpose/Factual Basis:

This sections are being renumbered as follows: Section 42-716.87 to Section 42-716.76; Section 42-716.871 to Section 42-716.761; Section 42-716.872 to Section 42-716.762; Section 42-716.873 to Section 42-716.763; Section 42-716.874 to Section 42-716.764; and Section 42-716.875 to Section 42-716.765. This renumbering is for restructuring purposes to maintain proper numerical sequencing. This section is also being amended to correct a cross-reference in Section 42-716.765 due to revisions to the regulations cited in this package. Neither of these changes have a regulatory impact.

Sections 42-716.77 through .772 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered as follows: Section 42-716.88 to Section 42-716.77; Section 42-716.881 to Section 42-716.771; Section 42-716.881(a) to Section 42-716.771(a); Section 42-716.881(b) to Section 42-716.771(b); and Section 42-716.882 to Section 42-716.772. This renumbering is necessary for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-716.78 (Renumbered from Section 42-716.89)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-716.89 to Section 42-716.78 for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-718.211

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference from Section 42-716.121 to Section 42-716.31 due to revisions to the regulations cited in this package, which was changed for restructuring purposes, which has no regulatory effect.

Section 42-719.111(b) (Repealed)

Specific Purpose:

This section is being repealed to delete an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-719.111(b) [Renumbered from Section 42-719.111(c)]

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-719.111(c) to Section 42-719.111(b) for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-719.21

Specific Purpose:

This section is being repealed to remove an obsolete reference to the 18- or 24-month CalWORKs welfare-to-work time limit.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-720.1

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations in this package, which has no regulatory impact.

Section 42-721.313

Specific Purpose:

This section is being amended to add cross-references to community service activities. This section is also being amended to repeal an incorrect cross-reference to hours of participation in unpaid community service. The requirements found in that section were repealed as a result of the changes from SB 1104.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11322.9, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-721.412 (Repealed)

Specific Purpose:

This section is being repealed to remove an obsolete requirement that any month in which an individual is sanctioned and removed from the assistance unit does not count toward the 18- or 24-month CalWORKs welfare-to-work time limit. The 18- or 24-month time limit was repealed as a result of SB 1104.

Factual Basis:

This section is being repealed to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-721.412 (Renumbered from Section 42-721.413)

Specific Purpose/Factual Basis:

This section is being renumbered from Section 42-721.413 to Section 42-721.412 for restructuring purposes to maintain numerical sequencing, which has no regulatory effect.

Section 42-721.413 (Renumbered from Section 42-721.414)

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations in this package. This section is also being renumbering from Section 42-721.414 to Section 42-721.413 for restructuring purposes to maintain numerical sequencing. Neither of these revisions have a regulatory impact.

Section 42-722.61

Specific Purpose/Factual Basis:

This section is being amended to correct cross references due to revisions to the regulations in this package, which has no regulatory impact.

Section 42-722.731(c)

Specific Purpose:

This section is being amended to remove an obsolete requirement that if an individual with a verified learning disability chooses to receive aid for a rescinded sanction period, all months in that period will not count toward the 18- or 24-month clock. The 18- to 24-month clock was made obsolete due to the passage of SB 1104.

Factual Basis:

This amendment is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-722.8 et seq. (Repealed)

Specific Purpose:

These sections were repealed to remove references to the retrospective adjustment of the 18- or 24-month time clock when an individual has a verified learning disability. The 18- to 24-month time clock was made obsolete due to the passage of SB 1104.

Factual Basis:

This repeal is necessary to comply with Welfare and Institutions Code Section 11454, as amended by SB 1104, Chapter 229, Statutes of 2004.

Section 42-722.8 (New)

Specific Purpose/Factual Basis:

This section is being adopted for clarity to provide a new title for inter-county transfers of individuals with learning disabilities and has no regulatory impact.

Sections 42-722.81 through .813 (Renumbered)

Specific Purpose/Factual Basis:

These sections are being renumbered as follows: Section 42-716.85 to Section 42-716.81; Section 42-716.851 to Section 42-716.811; Section 42-716.852 to Section 42-716.812; and Section 42-716.853 to Section 42-716.813. This renumbering is necessary for restructuring purposes to maintain proper numerical sequencing, which has no regulatory impact.

Section 42-802.2

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 42-1009.112

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 42-1010.1

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 44-111.233

Specific Purpose/Factual Basis:

This section is being amended to correct a cross-reference due to revisions to the regulations cited in this package, which has no regulatory impact.

Section 63-407.241(b) (Handbook)

Specific Purpose/Factual Basis:

This section is being changed to correct cross-references due to revisions to the regulations cited in this package, which has no regulatory impact.

b) Identification of Documents Upon Which Department Is Relying

Senate Bill 1104, Chapter 229, Statutes of 2004

c) Local Mandate Statement

These regulations do impose a mandate upon local agencies, but not upon school districts. The mandate is not required to be reimbursed pursuant to Part 7 (commencing with Section 17500) of Division 4 of the California Constitution because implementation of the regulations will result in no costs or savings to the local agencies.

d) Statement of Alternatives Considered

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

e) Statement of Significant Adverse Economic Impact On Business

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.